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LEGAL DEPARTMENT  
47690 EAST ANCHOR COURT  
PLYMOUTH MI 48170-2455

In re Application of	:	
Wirges et al.	:	
Application No.: 10/567,296	:	
PCT No.: PCT/US2004/025506	:	
Int. Filing Date: 06 August 2004	:	DECISION
Priority Date: 06 August 2003	:	
Attorney Docket No.: 8470-000086/US/NPB	:	
For: Interlocked Vibration Reduction Mount	:	

This is with regard to the "Request For Reconsideration" filed on 08 August 2008, which is being treated as a renewed petition under 37 CFR 1.181.

### DISCUSSION

In a Decision mailed on 10 June 2008, the petition filed on 21 December 2007 was dismissed, without prejudice, because

Concerning requirement (3), petitioner provides a "Statement" signed by Christine M. Reyes, which references "a print-out from our docketing system which discloses the receipt of other correspondence mailed from the PTO on or about the mail date of the non-received Notification, but fails to disclose the receipt of the Notification mailed on June 14, 2006." Inspection of the attached documents reveals that they appear to be examples of records for certain applications (e.g., "Example 1 of Receipt of Similar Communication Received"). As examples, it is not clear that these records reflect all of the applications with responses due on or around 14 August 2006. It is noted that the fourth document appears to pertain to the instant application; however, petitioner still does not appear to have provided complete records showing all applications having responses due on or around 14 August 2006. The appropriate docket records required for relief are those records showing where the Notification would have been docketed for response. Specifically, petitioner should provide the records ("tickler sheets") showing all of the applications having responses docketed as due on or around 14 August 2006 - as opposed to examples of cases wherein the USPTO mailed correspondence on around 14 June 2006. In the absence of such records, it would not be appropriate to conclude that requirement (3) has been satisfied at this time.

In response, "Applicants re-submit herewith the Statement by Christine M. Reyes." Applicants refer to "Examples 1-4," and state that page 4 of said examples "show the record where the Notification would have been docketed, but was not.." Inspection of the "Examples," including the fourth, reveals that they appear to be copies of sheets, each recording certain information pertaining to a single, particular application. Meanwhile, review of the "Statement" by Ms. Reyes reveals that she characterizes the submitted records as "a print-out from our

docketing system which discloses the receipt of other correspondence mailed from the USPTO on or about the mail date of the non-received Notification...”

Applicants are respectfully advised that the required records are records showing where all applications having the same or similar date(s) for response are docketed for response. This is to be contrasted with the submitted records, which Ms. Reyes states pertain to dates of *receipt* of correspondence *from* the USPTO. In this case, the Notification in question was mailed on 14 June 2006; therefore, a response was due on 14 August 2006. Accordingly, the required docket record is a listing of all applications being prosecuted by applicants' counsel, with responses due on (or around) 14 August 2006. In the absence of such records, it would not be appropriate to conclude that requirement (3) has been satisfied at this time.

### DECISION

The petition is DISMISSED, without prejudice.

If reconsideration on the merits of this matter is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time are available under 37 CFR 1.136(a).

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.

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